

Please type a plus sign (+) inside this box → ☐

PTO/SB/05 (03-01)

Approved for use through 10/31/2002. OMB 0651-0032
U.S. Patent and Trademark Office: U.S. DEPARTMENT OF COMMERCE

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.

UTILITY PATENT APPLICATION TRANSMITTAL

(Only for new nonprovisional applications under 37 C.F.R. 1.53(b))

Attorney Docket No. 05213-0077 (296614)

Inventors John W. Holaday, Antonio Ruiz, John Madsen and Stacy M. Plum

Title Compositions and Methods for Treating Cancer Hyperproliferative Disorders

Express Mail Label No. EV 334684421 US

APPLICATION ELEMENTS

See MPEP chapter 600 concerning utility patent application contents.

ADDRESS TO:

Commissioner for Patents
Mailstop Patent Application
P.O. Box 1450
Alexandria, VA 22313-1450

1. ☒ Fee Transmittal Form (e.g., PTO/SB/17)
(Submit an original and a duplicate for fee processing)
2. ☒ Applicant claims small entity status.
See 37 CFR 1.27.
3. ☒ Specification [Total Pages 68]
(preferred arrangement set forth below)
 - Descriptive title of the Invention
 - Cross Reference to Related Applications
 - Statement Regarding Fed sponsored R & D
 - Reference to sequence listing, a table, or a computer program listing appendix
 - Background of the Invention
 - Brief Summary of the Invention
 - Brief Description of the Drawings (if filed)
 - Detailed Description
 - Claim(s)
 - Abstract of the Disclosure
4. ☒ Drawing(s) (35 U.S.C. 113) [Total Sheets 26]
5. Oath or Declaration [Total Pages]
 - a. ☐ Newly executed (original or copy)
 - b. ☐ Copy from a prior application (37 CFR 1.63 (d))
(for a continuation/divisional with Box 18 completed)
 - i. ☐ **DELETION OF INVENTOR(S)**
Signed statement attached deleting inventor(s) named in the prior application, see 37 CFR 1.63(d)(2) and 1.33(b).
6. ☐ Application Data Sheet. See 37 CFR 1.76

7. ☐ CD-ROM or CD-R in duplicate, large table or Computer Program (Appendix)
8. Nucleotide and/or Amino Acid Sequence Submission (if applicable, all necessary)
 - a. ☐ Computer Readable Form (CRF)
 - b. Specification Sequence Listing on:
 - i. ☐ CD-ROM or CD-R (2 copies); or
 - ii. ☐ paper
 - c. ☐ Statements verifying identity of above copies

ACCOMPANYING APPLICATIONS PARTS

9. ☐ Assignment:
 - a. ☐ Assignment Papers (cover sheet & document(s))
 - b. ☐ Assignment is of record in parent application No.
10. ☐ 37 C.F.R. §3.73(b) Statement (when there is an assignee) ☐ Power of Attorney
11. ☐ English Translation Document (if applicable)
12. ☐ Information Disclosure Statement (IDS)/PTO-1449 ☐ Copies of IDS Citations
13. ☐ Preliminary Amendment
14. ☒ Return Receipt Postcard (MPEP 503) (Should be specifically itemized)
15. ☐ Certified Copy of Priority Document(s) (if foreign priority is claimed)
16. ☐ Nonpublication Request under 35 U.S.C. 122 (b)(2)(B)(i). Applicant must attach form PTO/SB/35 or its equivalent.
17. ☐ Other

18. If a CONTINUING APPLICATION, check appropriate box, and supply the requisite information below and in a preliminary amendment, or in an Application Data Sheet under 37 CFR 1.76:

☐ Continuation ☐ Divisional ☒ Continuation-in-part (CIP) of prior application No. 09/266,543, filed March 11, 1999

Prior application information: Examiner

Group / Art Unit:

Recite complete dependency back to first parent application: This application is a continuation-in-part of U.S. Application No. 09/266,543 filed March 11, 1999 (allowed), which is a continuation-in-part of U.S. Application No. 09/265,213 filed March 10, 1999 (abandoned), which is a continuation-in-part of U.S. Application No. 08/467,101 filed June 6, 1995, now U.S. Patent No. 5,919,459, which is a continuation of U.S. Patent Application No. 08/271,557 filed July 7, 1994 (abandoned), which is a continuation of U.S. Patent Application No. 08/068,717 filed May 27, 1993 (abandoned). This application is also related to U.S. Provisional Application No. 60/077,460 filed March 10, 1998.

For CONTINUATION or DIVISIONAL APPS only: The entire disclosure of the prior application, from which an oath or declaration is supplied under Box 5b, is considered a part of the disclosure of the accompanying or divisional application and is hereby incorporated by reference. The incorporation can only be relied upon when a portion has been inadvertently omitted from the submitted application parts.

17. CORRESPONDENCE ADDRESS

☒ Customer Number

23370

| | | | |
|-------------------|-------------------------------|-----------------------------------|----------------|
| Name (Print/Type) | Sima Singadia Kulkarni | Registration No. (Attorney/Agent) | 43,732 |
| Signature | <i>Sima Singadia Kulkarni</i> | Date | March 11, 2004 |

FEE TRANSMITTAL

Attorney Docket No.05213-0077 (43170-296614)

This sheet accompanies a patent application transmittal for the following application:

Inventor(s): **John W. Holaday, Antonio Ruiz, John Madsen and Stacy M. Plum**
Filing Date: **Concurrently Herewith**
Title: **Compositions and Methods for Treating Cancer Hyperproliferative Disorders**

The filing fee is calculated as shown below:

1. FILING FEE:

| SMALL ENTITY | | | LARGE ENTITY | |
|--|-------|----------|--------------|----------|
| FOR: | FEE | FEE PAID | FEE | FEE PAID |
| <input checked="" type="checkbox"/> UTILITY FILING FEE | \$385 | \$385 | \$770 | |
| <input type="checkbox"/> DESIGN FILING FEE | \$170 | | \$340 | |
| <input type="checkbox"/> PLANT FILING FEE | \$265 | | \$530 | |
| <input type="checkbox"/> REISSUE FILING FEE | \$385 | | \$770 | |
| <input type="checkbox"/> PROVISIONAL FILING FEE | \$80 | | \$160 | |
| SUBTOTAL (1) | | \$385 | | \$ |

2. CLAIMS:

| SMALL ENTITY | | | | LARGE ENTITY | | |
|---|-----------|-----------|--------|--------------|--------|-----|
| FOR: | NO. FILED | NO. EXTRA | RATE | FEE | RATE | FEE |
| TOTAL CLAIMS | 4 - 20 = | 0 | x 9 = | | x 18 = | |
| INDEP. CLAIMS | 2 - 3 = | 0 | x 43 = | | x 86 = | |
| <input type="checkbox"/> MULTIPLE DEPENDENT CLAIM PRESENTED | | | +145 = | | +290 = | |
| SUBTOTAL (2) | | | | \$0 | | \$ |

3. ADDITIONAL FEES:

| SMALL ENTITY | | | LARGE ENTITY | |
|--|-------|----------|--------------|----------|
| FOR: | FEE | FEE PAID | FEE | FEE PAID |
| <input type="checkbox"/> LATE FILING, FEE OR OATH | \$65 | | \$130 | |
| <input type="checkbox"/> NON-ENGLISH SPECIFICATION | \$130 | | \$130 | |
| <input type="checkbox"/> OTHER | | | | |
| SUBTOTAL (3) | | | \$ | \$ |

TOTAL FILING FEES: \$385.00A check is enclosed for the total amount: **\$385.00**☒ Charge any additional fees required under 37 C.F.R. 1.16 or 1.17 to Deposit Account 11-0855.

KILPATRICK STOCKTON LLP

1100 Peachtree Street

Suite 2800

Atlanta, Georgia 30309-4530

Telephone: 404-815-6500

By: *Sima Singadia Kulkarni*

Sima Singadia Kulkarni, Attorney for Applicant

Reg. No. 43,732

Date: March 11, 2004